

Application Serial No. 10/731,814  
Reply to Office Action of October 31, 2006

JAN 30 2007 PATENT  
Docket: CU-3482

#### REMARKS

In the Office Action, dated October 31, 2007, the Examiner states that Claims 1-16 are pending, and Claims 1-16 are rejected. By the present Amendment, Applicant amends the specification, and the claims.

In the Office Action, the description at page 4, lines 25-26 is objected to for a minor informality. An appropriate correction has been made.

The preamble of Claim 1 has been amended to recite "a method of using a server computer for designing paint", instead of a method of designing paint for a server computer, to correct a translation error.

Claims 1 and 14 have been amended to provide antecedent basis for the limitation "the ingredient determined paint".

In the Office Action, Claims 1-16 are rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter. Claims 1 and 14 have been amended to state that the determining ingredients step includes forming an ingredient-determined paint.

In the Office Action, Claims 1-6 and 8-15 are rejected under 35 U.S.C. §103(a) as being unpatentable over Snyder et al. (US 5,907,495). Claims 7 and 16 are rejected in further view of Stat-Ease Inc. The Applicant has incorporated the features of Claim 5 into the independent claims, and considers that this amendment overcomes the rejections.

Snyder describes "The paint is said to be characteristically understood with respect to certain physical properties and/or performance characteristics in application and field use generally associated with a production released or validated paint, which may include as non-exhaustive examples adhesion characteristics, resistance to sag, high humidity durability, chip resistance, and ultra-violet exposure durability. Paint validation as referred to herein means successful conformance testing of paint against predetermined criteria as well known in the art" (column 6, lines 39-48). The Applicant considers that this fails to disclose "wherein at least one of painting workability, coating film performance, and paint performance is predicted as the performance of the ingredient-determined paint." For at least this reason, the claims as amended are not obvious in view of Snyder.

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In light of the foregoing response, all the outstanding objections and rejections are considered overcome. Applicant respectfully submits that this application should now be in condition for allowance and respectfully requests favorable consideration.

Respectfully submitted,

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Date

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